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December 27, 2023

## VIA ECF

The Honorable Sarah Netburn  
United States District Court  
40 Foley Square, Room 430  
New York, NY 10007

Re: *Doe v. New York University*, No. 23 Civ. 10515 (VSB) (SN) (S.D.N.Y.)

Dear Judge Netburn:

We write on behalf of Defendant New York University (“NYU”) to seek clarification regarding the briefing of Plaintiff’s renewed motion for expedited discovery, which was filed on the evening of December 22, 2023, following the Court’s order scheduling a conference on this topic for January 10, 2024. *See* ECF 24; ECF 25. Specifically, we write to confirm that the parties should await the Court’s further instruction at the upcoming January 10 conference before further briefing Plaintiff’s motion.

As the Court is aware, on December 7, 2023, it denied Plaintiff’s motion for expedited discovery as premature because NYU had not yet been served. *See* ECF 10; ECF 13. After Plaintiff informed NYU of his intention to renew that motion, on December 21, 2023, NYU filed a letter with the Court requesting that Plaintiff’s motion “not be briefed until after NYU’s anticipated motion to dismiss has been decided or, in the alternative, that the parties appear for a conference with the Court to discuss these issues, including the proper sequencing of the parties’ motions.” ECF 20 at 4. The Court granted NYU’s request and scheduled a conference for January 10, 2024, “to address Plaintiff’s request for expedited discovery.” ECF 24. Plaintiff renewed his motion for expedited discovery later that same day. *See* ECF 25.

We therefore write to confirm that the parties should await the Court’s further instruction at the upcoming January 10, 2024 conference before briefing Plaintiff’s motion for expedited discovery. If that is not what Your Honor intended, then we will need to seek a brief extension of NYU’s time to respond to Plaintiff’s renewed motion for expedited discovery since otherwise, our response would be due by this Friday, or on December 29, 2023.

Respectfully submitted,



Roberta A. Kaplan